

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

655L0654

HOUSE BILL NO. 1243

Introduced by: Representatives Olson (Ryan), Frysliie, Hackl, Hills, Koistinen, and Rounds
and Senators Broderick, Adelstein, Gray, Hundstad, Koskan, and Peterson
(Jim)

1 FOR AN ACT ENTITLED, An Act to provide for the copying and retention of foreign
2 documentation used to apply for certain state licenses, permits, and identification cards.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-12-3.1 be amended to read as follows:

5 32-12-3.1. Any applicant under this chapter shall, on making application for an operator's
6 license, motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's
7 permit, instruction permit, motorcycle instruction permit, or nondriver identification card,
8 present to the examiner a certified copy of a United States birth certificate issued in or by a city,
9 county, or state, a tribal identification card that provides evidence that a certified birth certificate
10 issued by a city, county, or state was used to obtain the tribal identification card and is in a form
11 and content acceptable to the Department of Public Safety, a naturalization and immigration
12 record authorizing the applicant's presence in the United States, or a valid passport. If any of the
13 documentation offered by the applicant has been issued by a foreign country or jurisdiction, the
14 department shall make a copy of the documentation and shall retain the copy for one year from
15 the date the copy was made or until the expiration of any license, permit, or identification card



1 issued in reliance upon the documentation, whichever is later. The examiner may accept other
2 evidence of birth only if the examiner is satisfied that the applicant cannot, for good reason
3 beyond the applicant's control, produce such primary documents. The Department of Public
4 Safety may not require new evidence of birth at the time an application is made by a person
5 holding an operator's license, motorcycle operator's license, restricted minor's permit,
6 motorcycle restricted minor's permit, instruction permit, motorcycle instruction permit, or
7 nondriver identification card, if that person's driver license or nondriver identification card is
8 turned in to the department with the application. Any person who obtains a driver license or
9 nondriver identification card pursuant to this section fraudulently or by use of a fraudulently
10 obtained document is guilty of a Class 2 misdemeanor.